



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,581	10/31/2001	Andrew Caminschi	10011298-1	1909

7590 11/15/2005
AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

MOORTHY, ARAVIND K

ART UNIT PAPER NUMBER

2131

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/001,581	Applicant(s) CAMINSCHI, ANDREW	
	Examiner Aravind K. Moorthy	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the amendment filed on 26 August 2005.
2. Claims 1-28 are pending in the application.
3. Claims 1-28 have been rejected.

Response to Arguments

4. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-8 and 13-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Elliott U.S. Patent No. 6,468,160 B2.**

As to claim 1, Elliott discloses a waveform customization method for a signal generator, comprising:

retrieving a waveform and at least one code associated with the waveform from a storage media [column 27 line 19 to column 28 line 56];
retrieving at least one key associated with the signal generator [column 27 line 19 to column 28 line 56];

Art Unit: 2131

comparing the at least one code associated with the waveform and the at least one key [column 27 line 19 to column 28 line 56]; and

downloading the waveform to the signal generator under condition that the at least one code matches the at least one key [column 27 line 19 to column 28 line 56].

As to claims 2 and 14, Elliott discloses the method further comprising:

bundling the waveform and the at least one code associated with the waveform into a file [column 29, lines 27-43]; and

storing the file containing the waveform and the at least one code associated with the waveform in the storage media [column 29, lines 27-43].

As to claim 3, Elliott discloses the further comprising:

providing one or more parameters that characterize the waveform [column 30, lines 15-29]; and

creating the waveform based on the one or more parameters [column 30, lines 15-29].

As to claim 4, Elliott discloses the further comprising:

providing one or more signal generator settings [column 29, lines 27-43];

bundling the one or more signal generator settings with the waveform and the at least one code [column 29, lines 27-43]; and

configuring the signal generator using the one more signal generator settings [column 29, lines 27-43].

Art Unit: 2131

As to claim 5, Elliott discloses that the steps of providing further comprises:

entering at least one of the one or more parameters and the one or more signal generator settings by a user into a computer that creates the waveform [column 30 line 50 to column 31 line 18].

As to claim 6, Elliott discloses that the step of providing the one or more signal generator settings further comprises:

pre-configuring the one or more signal generator settings [column 30 line 50 to column 31 line 18]; and

storing the one or more pre-configured signal generator settings on the computer [column 30 line 50 to column 31 line 18].

As to claim 7, Elliott discloses that the file is encrypted, and further comprising:

decrypting the file after the step of retrieving the waveform [column 29, lines 47-58].

As to claim 8, Elliott discloses that the step of retrieving the at least one key further comprises:

retrieving the at least one key from the signal generator, the at least one key being stored within the signal generator [column 29, lines 47-58].

As to claim 13, Elliott discloses a system customizing at least one waveform of a signal generator, comprising:

a storage media adapted to store a waveform and at least one code associated with the waveform [column 27 line 19 to column 28 line 56];
and

a download application configured to retrieve the waveform and at least one key associated with the signal generator, compare the at least one code associated with the waveform and the at least one key and download the waveform to the signal generator under condition that the at least one code matches the at least one key [column 27 line 19 to column 28 line 56].

As to claim 15, Elliott discloses that the signal generation application is further configured to encrypt the file prior to storing the file in the storage media [column 27 line 19 to column 28 line 56]. Elliott discloses the download application being further configured to decrypt the file, as discussed above.

As to claim 16, Elliott discloses that the signal generation application is further configured to receive as input one or more parameters that characterize the waveform and create the waveform based on the one or more parameters [column 30 line 50 to column 31 line 18].

As to claim 17, Elliott discloses that the signal generation application is further configured to provide one or more signal generator settings and bundle the one or more signal generator settings with the waveform and the at least one code [column 29, lines 27-43]. Elliott discloses the download application being further configured to use the one or more signal generator settings to configure the signal generator [column 29, lines 27-43].

As to claim 18, Elliott discloses the method further comprising:

a computer having at least the signal generation application therein, the signal generation application further having an interface

Art Unit: 2131

capable of receiving at least one of the one or more parameters and the one or more signal generator settings from a user of the computer [column 30 line 50 to column 31 line 18].

As to claim 19, Elliott discloses that the one or more signal generator settings are pre-configured and stored on the computer [column 30 line 50 to column 31 line 18].

As to claim 20, Elliott discloses that the computer further has the storage media and the download application therein [column 29, lines 6-17].

As to claim 21, Elliott discloses an additional computer having at least the download application therein [column 30, lines 31-39].

As to claim 22, Elliott discloses that the computer is operatively connected to the additional computer [column 7, lines 36-56].

As to claim 23, Elliott discloses that the computer is connected to the additional computer via a data network [column 28, lines 12-34].

As to claim 24, Elliott discloses that the at least one key is stored on the signal generator [column 27 line 19 to column 28 line 56].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2131

6. Claims 9 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott U.S. Patent No. 6,468,160 B2 as applied to claims 1 and 13 above, and further in view of Reitmeier et al U.S. Patent No. 6,560,285 B1.

As to claims 9 and 25, Elliott does not teach that the waveform is a signal modulated to conform to one of a plurality of communication formats. Watt does not teach the signal generator being capable of downloading and transmitting signals modulated to conform to any of the plurality of communication formats, each of the plurality of communication formats having a different one of the at least one code associated therewith.

Reitmeier et al teaches that a waveform is a signal modulated to conform to one of a plurality of communication formats [column 5, lines 5-34]. Reitmeier et al teaches the signal generator being capable of downloading and transmitting signals modulated to conform to any of the plurality of communication formats, each of the plurality of communication formats having a different one of the at least one code associated therewith [column 5, lines 5-34].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Elliott so that the waveform would have been modulated to one of a plurality of communication formats. The signal generator would have been capable of downloading and transmitting signals modulated to conform to any of the plurality of communication formats, each of the plurality of communication formats would have been a different one of the at least one code associated therewith.

Art Unit: 2131

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Eliott by the teaching of Reitmeier et al because it ensures that the data will be in a format that the end user can decode [column 5, lines 5-34].

7. Claims 10-12 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eliott U.S. Patent No. 6,468,160 B2 as applied to claims 1 and 13 above, and further in view of Rajsuman et al U.S. Patent No. 5,963,566.

As to claims 10, 11, 26 and 27, Eliott does not teach requesting the waveform be downloaded to the signal generator by an automatic test equipment system. Eliott does not teach requesting an additional waveform be downloaded to an additional signal generator by the automatic test equipment system.

Rajsuman et al teaches requesting the waveform be downloaded to the signal generator by an automatic test equipment system [column 6, lines 25-37]. Rajsuman et al teaches requesting an additional waveform be downloaded to an additional signal generator by the automatic test equipment system [column 6, lines 25-37].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Eliott so that the waveform would have been downloaded to the signal generator by an automatic test equipment system. An additional waveform would have been requested to be downloaded to an additional signal generator by the automatic test equipment system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Eliott by the teaching of Rajsuman et al because it greatly improves manufacturing throughput, reduces manufacturing costs, and

Art Unit: 2131

significantly reduces design verification time during the developmental process [column 2, lines 9-17].


As to claims 12 and 28, Elliott teaches that the additional waveform is stored within an additional storage media [column 4, lines 14-24].


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy 
November 10, 2005


Primary Examiner
AVZ131
11/14/05